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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION**

JOHN MARTIN KEARNEY, an Oregon resident; **ROBIN A. BECK**, a Colorado resident; **CARLY LaFOREST**, a Michigan resident; **SHANE ALLPORT**, a Michigan resident; **ALYSIA ROWE**, a Michigan resident; **JANE ROE**, a California resident; and **JOHN DOE**, a Washington resident on behalf of themselves and all similarly situated persons,

Plaintiffs,

v.

EQUILON ENTERPRISES, LLC, a Delaware corporation dba **SHELL OIL PRODUCTS US**, and **SHELL OIL COMPANY**, a foreign corporation,

Defendants.

Case No. 3:14-cv-00254-HZ

**MOTION TO DISMISS SHELL OIL
COMPANY PURSUANT TO FRCP 21**

MOTION

Plaintiffs individually and on behalf of the Class and Subclasses described below, through counsel move this Court for an Order dismissing defendant SHELL OIL COMPANY from this case without prejudice, pursuant to FRCP 21.

BASIS FOR THE MOTION

Counsel for the parties have conferred, and plaintiffs' counsel have received assurances from defense counsel that SHELL OIL COMPANY is not a proper defendant in this matter. Plaintiffs therefore move to dismiss SHELL OIL COMPANY from this case without prejudice, and without costs to any party.

Dated: October 24, 2014.

Rick Klingbeil, PC

/s/ Rick Klingbeil

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